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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

24739 7590 04/11/2007
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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/661,589	Applicant(s) HAYWARD, BLAKE EARL	
	Examiner Benjamin R. Bruckart	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29,31-34 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29,31-34 and 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 29, 31-34, 36-38 are pending in this Office Action.

Claims 29, 31, 33, 34 and 38 are amended.

Claims 1-28, 30, 35 are cancelled.

Response to Arguments

Applicant's arguments filed in the amendment filed 3/7/07 have been fully considered but are not moot in view of new grounds of rejection.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 29, 30-34, 36-38 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,496,855 by Hunt et al.

Regarding claim 29, a system for authenticating a user of network (Hunt: col. 2, lines 47-51), comprising:

an Internet-connected verification server for performing the authentication (Hunt: col. 2, lines 36-40; the server); and

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an Internet-connected appliance operable by the user for sending a request for authentication (Hunt: col. 1, lines 56-61; the user);

wherein the user specifies at least one network destination site on the Internet known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user (Hunt: col. 2, lines 47-60; col. 6, lines 48-52), and the server, in response to the request causes automatic navigation to the at least one site and attempts a login on behalf of the user with the username-password pair, successful login comprising authentication (Hunt: col. 4, lines 1-5, 23-26).

Regarding claim 31, the system of claim 29, wherein the verification server is a first server, and the request is sent from the appliance to a second server on the network, which forwards at least a portion of the request to the first server, and the first server returns an indication of verification after causing the navigation and log-in attempt to the site provided by the user (Hunt: col. 2, lines 36-60; first server is target web server; second server is registration agent server; col. 8, lines 39-42).

Regarding claim 32, the system of claim 29, wherein all or a portion of the request is compared against stored user profile data for verification purposes (Hunt: col.3, lines 31-40; col. 2, lines 47-51).

Regarding claim 33, the system of claim 29, wherein the request comprises a plurality of site and username-password pairs for the sites, and authentication is a number based on log-in results (Hunt: col. 6, lines 48-52; col. 8, lines 43- col. 9, line 15).

Regarding claim 34, a method for authenticating a user of a network (Hunt: col. 2, lines 47-51), comprising the steps of:

(a) accepting by a server an authentication request from the user comprising at least one Internet network destination site known to the user as capable of accepting the user's username-

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pair and the username-password pair is included in the authentication request from the user (Hunt: col. 2, lines 47-60; col. 6, lines 48-52);

(b) causing, by the server, automatic navigation to the at least one site and an automatic login attempt on behalf of the user with the username-password pair (Hunt: col. 4, lines 1-5, 23-26); and

(c) reporting an indication of authenticity according to success or failure of the login attempt (Hunt: col. 8, lines 39-42

Regarding claim 36, the method of claim 34 wherein the server is a first server, and the request is sent from the appliance to a second server on the network, which forwards at least a portion of the request to the first server, and the first server returns an indication of authenticity after causing the navigation and log-in attempt at the site provided by the user (Hunt: col. 2, lines 36-60; first server is target web server; second server is registration agent server; col. 8, lines 39-42).

Regarding claim 37, the method of claim 34 wherein all or a portion of the request is compared against stored user profile data for verification purposes (Hunt: col.3, lines 31-40; col. 2, lines 47-51).

Regarding claim 38, the method of claim 34, wherein the request comprises a plurality of sites and username-password pairs for the Internet sites, and authentication is a number based on log-in results (Hunt: col. 6, lines 48-52; col. 8, lines 43- col. 9, line 15).

Remarks

The claims are extremely broad and because of the breadth they read on many references both related and unrelated to the instant invention. Meaningful prosecution cannot be conducted until applicant submits substantial amendments with detailed claim limitations towards applicant's actual invention. After many requests for consideration, applicant has failed to make movement towards allowable or novel subject matter.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart

Examiner

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BBB


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER